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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/992,451	11/16/2001	Pradeep Bahl	211936	6097

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EXAMINER

DINH, KHANH Q

ART UNIT PAPER NUMBER

2151

DATE MAILED: 04/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/992,451

Applicant(s)

BAHL, PRADEEP

Examiner

Khanh Dinh

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 09 January 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This is in response to the Remarks filed on 1/9/2006. Claims 1-20 are presented for examination.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Desai et al., US pat. No.6,820,204 in view of Forslow, US pat. No.6,608,832.

As to claim 1, Desai discloses a computer-readable medium having computer-executable instructions for performing steps for a correspondent host (10 fig.1) to provide mobility support for communications with a mobile host (12 fig.1), the steps comprising:

receiving, by a mobility service of the correspondent host, a request from a first application on the correspondent host to set up a communication connection with a second application on the mobile host, the mobility service of the correspondent host (processing a plurality of online applications assembled by mobile users, see abstract, fig.1, col.8 lines 26-55);

calling, by the mobility service, a session establishment service of the correspondent host implementing a session establishment protocol to establish a session with a mobile host (providing access to a view of stored data, see col.8 line 56 to col.9 line 17);

establishing, by the session establishment service, a session with the mobile host and setting up, by the mobility service, a communication connection under a transport protocol for communication between the first and second applications (fulfilling online purchase requests using users' information, see fig.2, col.9 lines 18-51);

obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address reestablishing, by the session establishment service, a session with the mobile host for the mobile host (providing user's access to profile information such as its travel schedule, see col.9 line 32 to col.10 line 32); and

resetting, by the mobility service, a communication connection for the new address of the mobile host (see col.10 lines 34-61 and col.21 line 30 to col.22 line 43). Desai does not specifically disclose implemented in an application programming interface (API) layer of an operating system. However, Forslow discloses implemented in an application programming interface (API) layer of an operating system (using a quality of service application programming interface, see fig.5, col.10 line 40 to col.11 line 27). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Forslow's teachings into the computer system of Desai to process network service applications because it would have provided an

interface between a high level language and lower level utilities and services which were written without consideration for the calling conventions supported by compiled languages.

As to claim 2, Desai discloses computer-executable instructions for to correspondent host to performs the steps of: retrieving buffered communication data for the communication connection between the first and second applications prior to resetting the communication connection and sending the retrieved buffered communication the reset communication channel for the new address mobile host (see fig.2, col.9 line 32 to col.10 line 32).

As to claim 3, Desai discloses computer-executable instructions for the correspondent host to perform the step of tunneling communication the mobile host using the new address of the mobile host before completing the step of resetting (see col.10 lines 7-61 and col.14 lines 2-55).

As to claims 4-6, Desai does not specifically disclose using the Session Initiation Protocol, TCP, and UDP. However, Forslow discloses using the Session Initiation Protocol, TCP, UDP (see fig.7, col.11 line 56 to col.12 line 55). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Forslow's teachings into the computer system of Desai to process network

service applications because it would have encapsulated appropriate protocols to build a total transport layer in a communications system network.

As to claim 7, Desai discloses the first application identifies the second application by a name in the request to form a communication connection (using field name, see fig.15A, 15B, col.17 line 42 to col.18 line 47).

As to claim 8, Desai discloses a computer-readable medium having computer-executable instructions for performing steps for a correspondent host (10 fig.1) to provide mobility support for communications between a first application on the correspondent host with a second application on a mobile host 912 fig.1) over an existing session and an existing communication connection, the steps comprising:

receiving, by a session establishment service of the correspondent host implementing a session establishment protocol, a notice through operation of the session establishment protocol that the mobile host has move to a new address (providing user's access to profile information such as its travel schedule, see col.9 line 32 to col.10 line 32);

reestablishing, by the session establishment service, a session with the mobile host for the new address of the mobile host (fulfilling online purchase requests using users' information, see fig.2, col.9 lines 18-51); and

resetting, by a mobility service, a communication connection for the new address of the mobile host for communications between the first and second applications, the

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mobility service being implemented in an operating system of the correspondent host (see col.10 lines 34-61 and col.21 line 30 to col.22 line 43).

Desai does not specifically disclose implemented in an application programming interface (API) layer of an operating system. However, Forslow discloses implemented in an application programming interface (API) layer of an operating system (using a quality of service application programming interface, see fig.5, col.10 line 40 to col.11 line 27). It would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement Forslow's teachings into the computer system of Desai to process network service applications because it would have provided an interface between a high level language and lower level utilities and services which were written without consideration for the calling conventions supported by compiled languages.

Claims 9-13 are rejected for the same reasons set forth in claims 2-6 respectively.

Claims 14-20 are rejected for the same reasons set forth in claims 1-7 respectively.

Response to Arguments

4. Applicant's arguments filed on 1/9/2006 have been fully considered but they are not persuasive.

* Applicant asserts that the cited reference does not disclose "obtaining, by the session establishment service, a notice through operation of the session establishment

protocol that the mobile host has moved to a new address reestablishing, by the session establishment service, a session with the mobile host for the mobile host”.

Examiner respectfully disagrees. Examiner respectfully point out that Desai discloses obtaining, by the session establishment service, a notice through operation of the session establishment protocol that the mobile host has moved to a new address (new user location), reestablishing, by the session establishment service, a session with the mobile host for the mobile host (providing user's access to profile information such as its travel schedule, determining the registered user's location on a given date and providing selectively data information from one or more vendors to the registered user, see col.9 line 32 to col.10 line 32) as rejected above.

* Applicant asserts that the resulting combination would not employ the step of obtaining in claimed invention.

Examiner point out that the combination of references does disclose the claimed invention. The motivation to combine the references is established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See In re Fine, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and In re Jones, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, it would have been obvious to one of the ordinary skill in the art at the time the invention was made to implement

Forwlow's teachings into the computer system of Desai to process network service applications because it would have provided an interface between a high level language and lower level utilities and services which were written without consideration for the calling conventions supported by compiled languages. Therefore, Examiner respectfully submits that the references do disclose the Applicant claimed invention. As a result, cited prior art does disclose a correspondent host to provide mobility support for communications with a mobile host, as broadly claimed by the Applicants. Applicants clearly have still failed to identify specific claim limitations that would define a clearly patentable distinction over prior art.

Conclusion

5. Claims 1-20 are rejected.
6. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Khanh Dinh whose telephone number is (571) 272-3936. The examiner can normally be reached on Monday through Friday from 8:00 A.m. to 5:00 P.m.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Zarni Maung, can be reached on (571) 272-3939. The fax phone number for this group is (571) 273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Khanh Dinh
Patent Examiner
Art Unit 2151
4/2/2006